

DECLARATORY

~~Improvement~~ Res. No. 1277-1970

For the Vacation of the alley between Smith Street and Oliver Street from the southerly right of way line of the Penn-Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.

Resolution Adopted: May 6, 1970

Confirmed: May 6, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: JUL 2 - 1970

B.O. 85-70

DECLARATORY RESOLUTION NO. 1277-1970

For the Vacation of the alley between Smith Street and Oliver Street from the southerly right of way line of the Penn-Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.

ADOPTED:

May 6, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

NOTICES MAILED:

HEARING ON CONFIRMATION:

CONFIRMED:

May 6, 1970

ASSESSMENT ROLL ORDERED:

May 6, 1970

ASSESSMENT ROLL APPROVED:

June 2, 1970

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs., 7/2/70 3:30p.

NOTICE SERVED:

June 19, 1970

ASSESSMENT ROLL CONFIRMED:

July 2, 1970

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the alley between Smith Street and Oliver Street from the southerly right of way line of the Penn-Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Smith Street and Oliver Street from the southerly right of way line of the Penn-Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 to 11 inclusive and Lots 13 to 24 inclusive, Charles Hanna's Addition; Lots 1 to 12 inclusive, Schaich's Addition; Lots 1 to 14 inclusive, Miller's Addition; and Lot No. 4, Federal 15th Addition. All additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

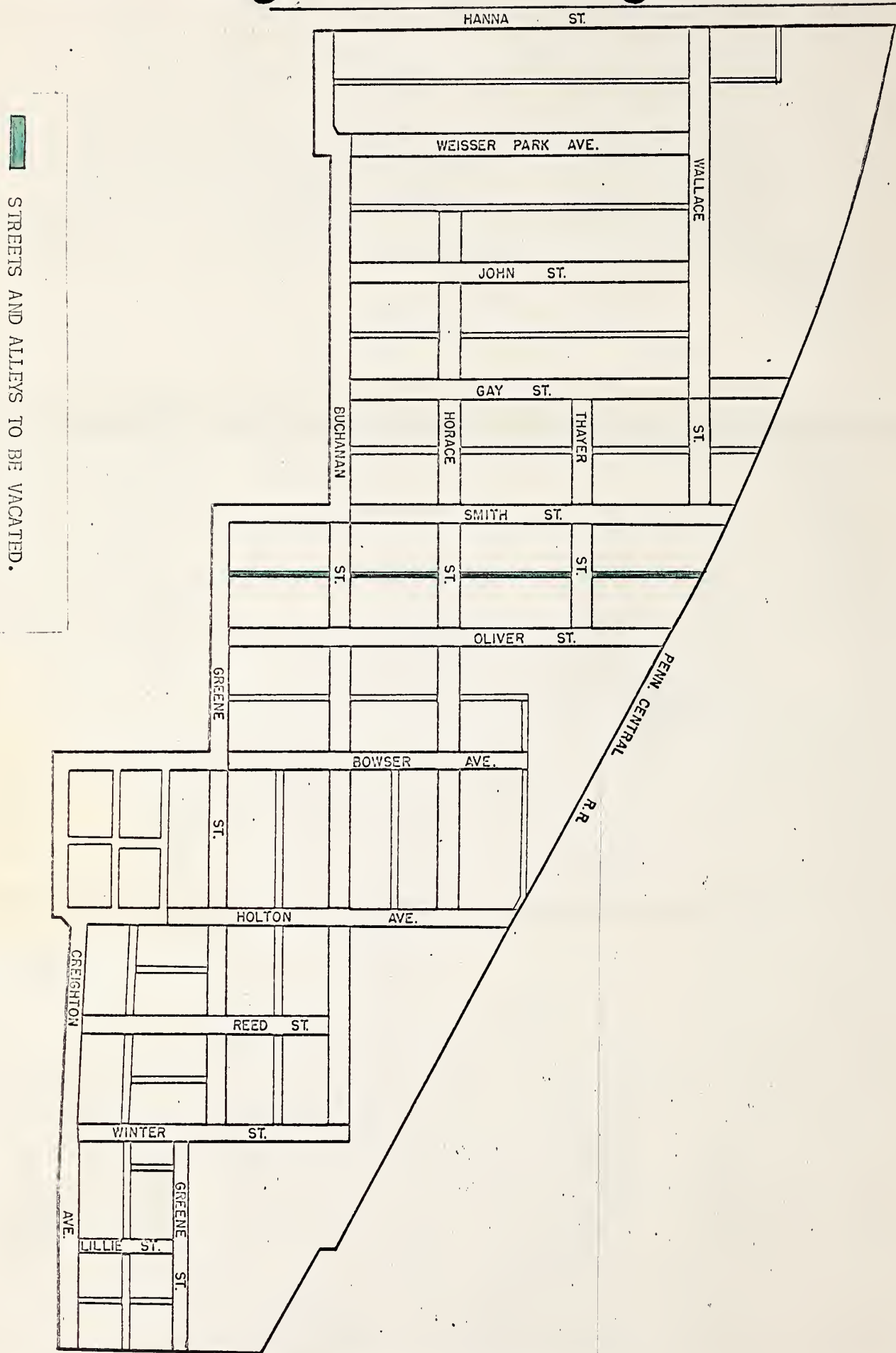
All Streets, lots and lands affected by the above described vacation are situated in the east one-half of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 6 DAY OF May 19 70

Attest:

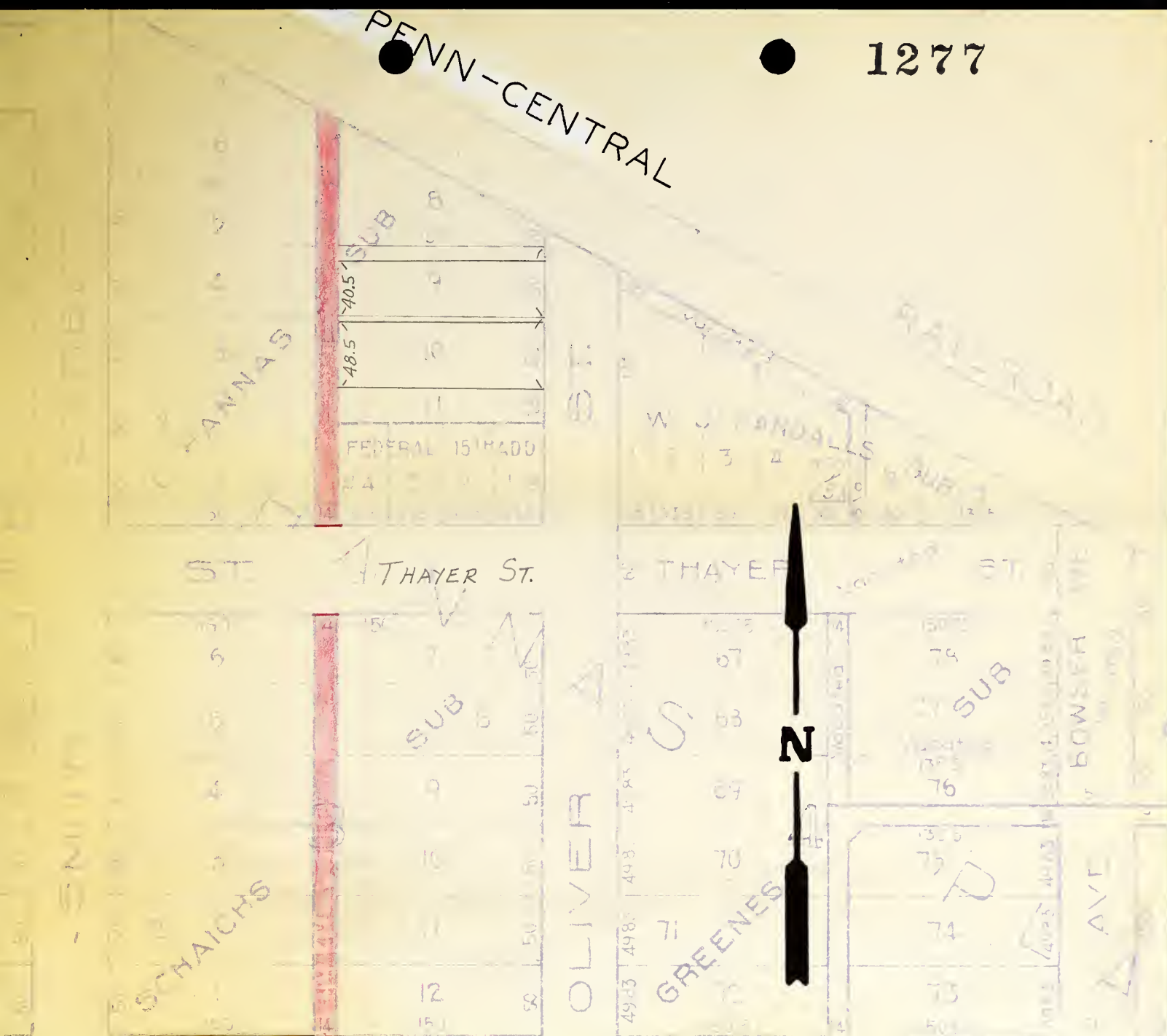
Secretary Board of Public Works.

Robert W. Dehman
Board of Public Works.



PENN-CENTRAL

1277



STREET

1277

ENGINEERING
DEPT. OF STREETS

6 NOTED

DATE May 1, 1970

☐ F.S.E.
☐ R.W.D.
☐ G.F.G.

TO: Board of Public Works

SUBJECT: _____ Date _____

Declaratory Resolutions, drawings and property ownership lists are attached for two (2) alley vacations in the Hanna-Creighton Redevelopment Project.

Declaratory Res. No. 1277-1970	For the alley between Smith Street and Oliver Street from the southerly right of way line of the Penn Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.
Board Order No. 85-1970	

Declaratory Res. No. 1278-1970	For the vacation of the alley between Oliver Street and Bowser Avenue from the north property line of the first alley north of Horace Street to the north property line of Greene Street, except the Horace Street and Buchanan Street intersections.
Board Order No. 86-1970	

It will not be necessary to hold a public hearing on these alley vacations because the Redevelopment Commission and other property owners have signed waivers, which are also attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

BOARD OF PUBLIC WORKS
RECEIVED
MAY 1 1970
RECEIVED

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

55-84-6

Date May 6, 1970

NOTED

☒ F.S.E.
☐ R.W.D.
☐ G.F.G.

Date _____

B.O.***XX 85-70

To City Engineer

Subject Dec. 1277-1970 alley between Smith & Oliver Sts.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. Res. & P. O. List

Signed _____

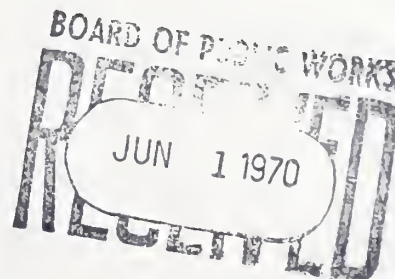
Reply:

May 28, 1970

Assessment roll of benefits and damages completed and attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

The alley between Smith Street and Oliver Street from the southerly right of way line of the Penn Central Railroad to the north property line of Greene Street, except the Thayer Street, Horace Street and Buchanan Street intersections.

which proposed vacation is set out in Declaratory Resolution No. /277 - 1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 14TH day of April, 1970.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By


Hassel Wolfe, Executive Director

W A I V E R

The undersigned URSIE BEABER, widow of Abraham W., the owner of property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

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which proposed vacation is set out in Declaratory Resolution No. /277 -1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights she may have to receive notice of such resolution either by publication or otherwise, and does waive her right to a hearing on said resolution and her right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and she does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon her.

Dated this 14th day of April, 1970.

Ursie Beaber
URSIE BEABER
Hermann Beaber her atty.

WITNESS

James B. Henderson

SOUTHERLY RIGHT OF WAY LINE OF THE PENN CENTRAL RAILROAD TO THE NORTH PROPERTY LINE OF GREEN E STREET, EXCEPT THE THAYER STREET, HORACE STREET AND BUCHANAN STREET INTERSECTIONS.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	CITY OF FORT WAYNE	425 S. Calhoun	1			C. HANNA'S ADDITION
2	"	"	2			"
3	"	"	3			"
4	"	"	4			"
5	"	"	5			"
6	"	"	6			"
7	"	"	7			"
8	"	"	8			"
9	"	"	9-N. 9.5'			"
10	CITY OF FORT WAYNE	"	10-S. 43.5'			"
11	"	"	11-N. 1/2			"
12	"	"	13			"
13	"	"	14			"
14	"	"	15			"
15	"	"	16			"
16	"	"	17			"
17	"	"	18			"
18	"	"	19			"
19	"	"	4			FEDERAL ST. ADDITION
20	"	"	1			SCHAEFER ADDITION
21	"	"	2			"
22	"	"	3			"
23	"	"	4			"
24	"	"	5			"
25	"	"	6			"
26	"	"	7			"
27	"	"	8			"
28	"	"	9			"
29	"	"	10			"
30	"	"	11			"
31	"	"	12			"
32	"	"	1			MILLER'S ADDITION
33	"	"	2			"
34	"	"	3			"
35	"	"	4			"
36	"	"	5			"
37	"	"	6			"
38	"	"	7			"
39	"	"	8			"
40	"	"	9			"
41	"	"	10			"
42	"	"	11			"
43	"	"	12			"
44	"	"	13			"
45	"	"	14			"
46	DEABER, ABR. W. & UPSIE	309 F. Field Ave.	9-S. 40.5'			CHAS. HANNA'S ADD.
47	"	"	10-N. 1.5'			"
48	CITY OF FORT WAYNE	C. R. R. & 1st St.	20			"
49	"	"	21			"
50	"	"	22			"
51	"	"	23			"
52	"	"	24			"
53						
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62						
63						
64						
65						
TOTAL						





1277

